

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 56th LEGISLATURE - REGULAR SESSION

COMMITTEE ON JUDICIARY

Call to Order: By **CHAIRMAN ROBERT C. CLARK**, on February 12, 1999
at 8:00 A.M., in Room 312 - 1 Capitol.

ROLL CALL

Members Present:

Rep. Robert C. Clark, Chairman (R)
Rep. Dan McGee, Vice Chairman (R)
Rep. Diana Wyatt, Vice Chairman (D)
Rep. Shiell Anderson (R)
Rep. Paul Clark (D)
Rep. Aubyn A. Curtiss (R)
Rep. Bill Eggers (D)
Rep. Tom Facey (D)
Rep. Gail Gutsche (D)
Rep. Joan Hurdle (D)
Rep. Rick Jore (R)
Rep. Sam Kitzenberg (R)
Rep. Brad Molnar (R)
Rep. Mark Noennig (R)
Rep. Jim Shockley (R)
Rep. Loren Soft (R)
Rep. Carol Williams (D)
Rep. Cindy Younkin (R)

Members Excused: Rep. Chris Ahner (R)

Members Absent: Rep. Steven Gallus (D)

Staff Present: John MacMaster, Legislative Branch
Pam Schindler, Committee Secretary

Please Note: These are summary minutes. Testimony and
discussion are paraphrased and condensed.

Committee Business Summary:

Hearing(s) & Date(s) Posted: HB 527, HB 530, 2/8/1999
Executive Action: HB 84 and 481-Tabled; HB-Do
Pass, HB 459-Do Pass as

amended, HB 492-Do Pass as
amended.

HEARING ON HB 527

Sponsor:

Rep. Harper presented HB 527.

{Tape : 1; Side : A; Approx. Time Counter : 27 - 67}

Proponents:

Steve Browning, Annehauser-Busch Co.

{Tape : 1; Side : A; Approx. Time Counter : 67 - 127}

EXHIBIT (juh35a0

1)

EXHIBIT (juh35a0

2)

EXHIBIT (juh35a0

3)

EXHIBIT (juh35a04) video

Jim Murphy, District Crt. Judge

{Tape : 1; Side : A; Approx. Time Counter : 127 - 179}

Gary Martenson, self, alcoholic

{Tape : 1; Side : A; Approx. Time Counter : 179 - 197}

Sue Akey, Montana AAA

{Tape : 1; Side : A; Approx. Time Counter : 197 - 203}

Brenda Nordlund, Dept. of Justice

{Tape : 1; Side : A; Approx. Time Counter : 203 - 323}

Christy Blazer, Beer/Wine Distributors Assoc.

{Tape : 1; Side : A; Approx. Time Counter : 323 - 348}

Opponents:

None

Informational Testimony:

William Shearer, Rocky Mtn. Interlock

{Tape : 1; Side : A; Approx. Time Counter : 348 - 413}

Questions from Committee Members and Responses:

{Tape : 1; Side : A; Approx. Time Counter : 413 - 550}

{Tape : 1; Side : B; Approx. Time Counter : 0 - 162}

Sponsor Close:

Rep. Harper made closing statements.

{Tape : 1; Side : B; Approx. Time Counter : 162 - 181}

EXHIBIT(juh35a0

5)

HEARING ON HB 530

Sponsor:

Rep. McGee presented HB 530.

{Tape : 1; Side : B; Approx. Time Counter : 181 - 550}

EXHIBIT(juh35a0

6)

EXHIBIT(juh35a0

7)

EXHIBIT(juh35a0

8)

Proponents:

MaryAnne Heirrins, Mission for Life

{Tape : 2; Side : A; Approx. Time Counter : 0 - 64}

EXHIBIT(juh35a0

9)

EXHIBIT(juh35a1

0)

EXHIBIT(juh35a1

1)

EXHIBIT(juh35a1

2)

George Mulcaire-Jones, M.D.

{Tape : 2; Side : A; Approx. Time Counter : 64 - 123}

Sharon Hoff, Montana Catholic Conference

{Tape : 2; Side : A; Approx. Time Counter : 123 - 174}

EXHIBIT(juh35a1

3)

Arletta Randash, Eagle Forum

{Tape : 2; Side : A; Approx. Time Counter : 174 - 200}
Jenny Dodge, Citizens Network
{Tape : 2; Side : A; Approx. Time Counter : 200 - 229}
Lolo Pearons, self
{Tape : 2; Side : A; Approx. Time Counter : 229 - 269}
Steve White, self
{Tape : 2; Side : A; Approx. Time Counter : 269 - 285}
Linda Holden, self
{Tape : 2; Side : A; Approx. Time Counter : 285 - 297}

Opponents:

Kristine Kaufman, NARAL
{Tape : 2; Side : A; Approx. Time Counter : 297 - 393}
Mark Miles, M.D.
{Tape : 2; Side : A; Approx. Time Counter : 393 - 550}
EXHIBIT (juh35a1
4)
Jan Malardy, self
{Tape : 2; Side : B; Approx. Time Counter : 0 - 31}
Beth Brenneman, ACLU
{Tape : 2; Side : B; Approx. Time Counter : 31 - 52}
Christina Schweitzer, self
{Tape : 2; Side : B; Approx. Time Counter : 52 - 85}
Rebecca Moe, Montana Women's Lobby
{Tape : 2; Side : B; Approx. Time Counter : 85 - 115}
EXHIBIT (juh35a1
5)
EXHIBIT (juh35a1
6)
Ann Horsky, self
{Tape : 2; Side : B; Approx. Time Counter : 115 - 122}

Informational Testimony:

None

Questions from Committee Members and Responses:

{Tape : 2; Side : B; Approx. Time Counter : 122 - 550}
{Tape : 3; Side : A; Approx. Time Counter : 0 - 72}
EXHIBIT (juh35a1
7)

Closing by Sponsor:

Rep. McGee made closing statements.

{Tape : 3; Side : A; Approx. Time Counter : 72 - 147}

EXECUTIVE ACTION ON HB 84

Motion/Vote: REP. SOFT moved that HB 84 BE TABLED. Motion carried 17-1.

(Rep. Ahner excused; ill, Rep. Gallus absent)

{Tape : 3; Side : A; Approx. Time Counter : 147 - 202}

EXECUTIVE ACTION ON HB 481

Motion/Vote: REP. FACEY moved that HB 481 DO PASS.

Motion/Vote: REP. ANDERSON moved that HB 481 BE TABLED. Motion carried 16-2 with McGee and Molnar voting no.

(Rep. Ahner excused; ill, Rep. Gallus absent)

{Tape : 3; Side : A; Approx. Time Counter : 202 - 292}

EXECUTIVE ACTION ON HB 482

Motion/Vote: REP. SHOCKLEY moved that HB 482 DO PASS. Motion carried 16-3 with Curtiss, Jore, and Younkin voting no.

(Rep. Ahner excused; ill) (Rep. Gallus had proxy in)

{Tape : 3; Side : A; Approx. Time Counter : 292 - 383}

EXECUTIVE ACTION ON HB 492

Motion: REP. YOUNKIN moved that HB 492 DO PASS.

Motion/Vote: REP. MOLNAR moved that HB 492 BE TABLED. Motion failed 10-10.

Motion: REP. SHOCKLEY moved that HB 492 BE AMENDED. HB 492 WAS

AMENDED. Motion/Vote: REP. ANDERSON moved that HB 492 BE TABLED.

Motion failed 5-14 with Clark, Clark, Curtiss, Eggers, Facey, Gallus, Gutsche, Hurdle, Kitzenberg, Shockley, Soft, Williams, Younkin and Wyatt voting nay.

(Rep. Ahner excused: ill) (Rep. Gallus had proxy in) Motion: REP. MCGEE moved that HB 492 BE AMENDED. AMENDMENTS CARRIED.

Motion/Vote: REP. SHOCKLEY moved that HB 492 DO PASS AS AMENDED.
Motion carried 14-5 with Anderson, Jore, McGee, Molnar, and
Noennig voting no.

(Rep. Ahner excused; ill) (Rep. Gallus had proxy)

{Tape : 3; Side : A; Approx. Time Counter : 393 - 550}

{Tape : 3; Side : B; Approx. Time Counter : 0 - 550}

EXECUTIVE ACTION ON HB 459

Motion: REP. CLARK moved that HB 459 DO PASS.

Motion/Vote: REP. CLARK moved that HB 459 BE AMENDED. Motion
carried 19-0.

(Rep. Ahner excused; ill) (Rep. Gallus proxy)

Motion/Vote: REP. MCGEE moved that HB 459 DO PASS AS AMENDED.
Motion carried 19-0.

{Tape : 4; Side : A; Approx. Time Counter : 0 - 358}

Meeting Adjourned.

Adjournment: 12:00 P.M.

REP. ROBERT C. CLARK, Chairman

PAM SCHINDLER, Secretary

RC/PS

EXHIBIT (juh35aad)